STATE OF NEW YORK

8169

2023-2024 Regular Sessions

IN ASSEMBLY

October 18, 2023

Introduced by M. of A. PIROZZOLO -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the public authorities law, in relation to establishing the "Electric Vehicle Infrastructure and Liability Act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. This act shall be known and may be cited as the "Electric Vehicle Infrastructure and Liability Act".

§ 2. The vehicle and traffic law is amended by adding a new section 114-f to read as follows:

§ 114-f. Electric vehicle. Every motor vehicle that is powered by electricity, contains a battery which is charged by plug or wire, and is designed primarily for the transportation of passengers or for commercial use on public roadways.

§ 3. Subdivision 6 of section 401 of the vehicle and traffic law is amended by adding a new paragraph h to read as follows:

h. (i) In addition to other fees provided for in this section, the commissioner shall require a registration fee of two hundred dollars for each non-commercial electric vehicle registered in the state. Ten percent of the revenues generated from such fee shall be allocated to the office of fire prevention and control to promulgate rules and regulations for training programs designed to instruct first responders on issues associated with electric vehicle fires, the acquisition of equipment designed to withstand electric vehicle related incidents and establishing public awareness campaigns on the dangers and necessary precautions when using electric vehicles. Ninety percent of the revenues generated from such fee shall be allocated to the dedicated highway bridge and trust fund.

(ii) In addition to other fees provided for in this section, the commissioner shall require a registration fee of four hundred dollars

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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for each commercial electric vehicle registered in the state. Ten percent of the revenues generated from such fee shall be allocated to the office of fire prevention and control to promulgate rules and regulations for training programs designed to instruct first responders on issues associated with electric vehicle fires, the acquisition of equipment designed to withstand electric vehicle related incidents and establishing public awareness campaigns on the dangers and necessary precautions when using electric vehicles. Ninety percent of the revenues generated from such fee shall be allocated to the dedicated highway bridge and trust fund.

§ 4. Section 354 of the public authorities law is amended by adding a new subdivision 16 to read as follows:

16. To direct all necessary state and public authorities, including but not limited to, the thruway authority, metropolitan transportation authority, tunnel and bridge authority and the port authority of New York and New Jersey that operate tolling roads and bridges within the state to establish an additional electric passenger vehicle user fee. The non-commercial electric vehicle user fee shall be calculated as six percent of the total tolling surcharge owed by the non-commercial electric vehicle operator. Such non-commercial electric vehicle user fee shall be in addition to any other tolling surcharge issued by the tolling authority. All authorities that operate tolling roads and bridges within the state shall coordinate with E-ZPass and the department of motor vehicles to share all necessary information to effectuate the provision of this section. All revenues generated from the non-commercial electric vehicle tolling road user fee shall be allocated to the dedicated highway bridge and trust fund established under section eighty-nine-b of the state finance law. For the purposes of this subdivision, the term "electric vehicle" shall have the same meaning as defined in section one hundred fourteen-f of the vehicle and traffic law.

§ 5. The office of fire prevention and control shall be permitted to establish an account for the purposes of this act.

§ 6. The commissioner of transportation shall submit on or before January 1, 2025, and annually thereafter, an annual report to the governor, the speaker of the assembly, the temporary president of the senate, the minority leader of the assembly and the minority leader of the senate on the total amount of funds collected and the initiatives undertaken pursuant to this act.

§ 7. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.